

REDACTED

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December 17, 2004

April Mulqueen, Esquire
Assistant Director
Telecommunications Division
Massachusetts Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

**Re: Request for Waiver of NANPA's Denial of Verizon-MA's Request for
XXXX numbers for a new NXX code for the purpose of obtaining an
LRN to activate new switching equipment**

Dear Ms. Mulqueen:

The purpose of this letter is to seek a waiver of NANPA's (*i.e.*, NeuStar) decision to deny Verizon Massachusetts' ("Verizon MA") request for XXXX numbers to permit Verizon MA to activate new switching equipment. Verizon-MA takes such action pursuant to Federal Communications Commission ("FCC") rules [47 C.F.R. 52.15(g)(3)(iv)].

I. NATURE OF NUMBERING REQUEST

Verizon MA requested XXXX telephone numbers for a new NXX code for the purpose of obtaining an LRN. Verizon is preparing to deliver services in Massachusetts that cannot be provided using circuit switching technology. New packet-switching equipment will be activated in February 2005 to support these services. These switches are not replacing circuit switches so services supported by existing circuit switches will not be affected. In order for Verizon MA to begin offering these new overlay services to customers, Verizon MA requests a waiver to permit the assignment of the required Location Routing Number (LRN) in the 128 LATA. .

On November 30, 2004, Verizon MA submitted a Central Office Code (NXX) Assignment Request (a "Part 1" form) to the NANPA (NeuStar), requesting an entire NXX code for the purpose of obtaining an LRN to meet Verizon's needs. The Company

explained that it did not have the needed numbers available in its existing inventory in the Boston rate center. A copy of the “Part 1” form is attached as Exhibit A.

On December 1, 2004, NANPA's Central Office Code Administrator denied the Company's request on the grounds that Verizon MA had not met the rate-center-based MTE criteria, as set forth by the FCC. This denial was based upon not meeting the months-to-exhaust (“MTE”) requirements – notwithstanding the fact that Verizon MA does not have the specific numbering resources needed to satisfy this need. A copy of the e-mail decision denying Verizon MA's request is attached as Exhibit B.

Verizon MA submitted the MTE Certification Worksheet required by NANPA, completed in accordance with the Industry Numbering Committee's Central Office Code (NXX) Assignment Guidelines (“INC Guidelines”). Attached as Exhibit C is the MTE for Verizon MA's Boston rate center.

Verizon MA requested the specific consecutive telephone number blocks from NeuStar because it did not have them in its supply of numbers for the Boston rate center. Attached as Exhibit D is a report from Verizon's Number Administration Center supporting Verizon MA's claim that this request could not be satisfied with the existing numbering resources in any rate center. Verizon-MA considers Exhibits A through D to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains data relating to number utilization and forecasted growth in the Boston rate center.

II. REQUEST FOR WAIVER OF NANPA'S NXX CODE DENIAL

By way of this letter, Verizon MA requests that the Department overturn NeuStar's decision and order that XXXX consecutive telephone numbers for a new NXX code for the purpose of obtaining an LRN be assigned to the Verizon MA Boston rate center to permit Verizon MA to activate new switching equipment in Boston, MA. The Department has the authority to take such action pursuant to the FCC's Numbering Resource Optimization (“NRO”) *Third Report and Order and Second Order on Reconsideration* (FCC 01-362), released December 28, 2001, in CC Docket No. 96-98 and CC Docket No. 99-200 (“*Third NRO Order*”).

In the *Third NRO Order*, Appendix A, *Final Rules*, 52.15(g)(4), the FCC states:

The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application

requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

Third NRO Order at 64. In accordance with applicable FCC rules, Verizon-MA respectfully asks that the Department grant this waiver request.

Thank you for your assistance in this matter. Please contact me at 617-743-9250 if you have any questions concerning this request.

Very truly yours,

Enclosures

cc: Mary L. Cottrell, Secretary
Michael Isenberg, Esq., Telecommunications Director (w/proprietary materials)
Paula Foley, MA DTE (w/proprietary materials)
Service List DTE 01-33

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